

# Teacher Guide for “My Place is in the Voting Booth: Hoosier Suffragette Helen M. Gougar”

## *Gougar v. Timberlake: Case Summary*

This play re-creates a series of events surrounding the Indiana Supreme Court case of *Gougar v. Timberlake*. Following the lead of Susan B. Anthony in New York, Helen Gougar attempted to vote in a local election in Lafayette, Indiana in 1894. She was denied the right to vote because she was a woman. Helen subsequently sued the Tippecanoe County Election Board; the precinct inspector Mr. Timberlake is named in the case.

Helen assisted her husband John with his law practice for more than thirty years, but had never sought to practice in her own right. With *Gougar v. Timberlake* scheduled to begin in the Tippecanoe County Superior Court in early January 1895, Helen applied for and was granted admission to the bar in order to represent herself. She was the first woman attorney in Tippecanoe County.

Losing in the county court, Helen appealed her case to the Indiana Supreme Court. Once again she represented herself after submitting a fifty-seven page brief! She was one of the first women to argue in front of the state supreme court. Unfortunately for Helen and the women of Indiana, the Indiana Supreme Court affirmed the ruling of the trial court by denying Helen's claims that women should be given the vote.

At the time of the trial and subsequent appeal, Helen Gougar was a nationally recognized speaker on topics including temperance and women's suffrage. She numbered among her acquaintances many nationally prominent figures, including Elizabeth Cady Stanton, Susan B. Anthony, and William Jennings Bryan. Scenes within the production will introduce students not only to the important events surrounding Helen's case, but will place them within the context of the national women's suffrage and temperance movements.

## **Sample of Related Indiana State Social Studies Standards**

### Standard 1 *History*

- United States History
- Indiana History

### Standard 2 *Civics and Government*

- Structure of the Indiana judicial branch
- The Indiana Constitution
- The United States Constitution
- Voting rights
- Legal procedures

### Standard 3 *Geography*

- Identify key Indiana cities

### Standard 5 *Individuals, Society, and Culture*

- Changing societal ideas about the rights of individuals

## **Related Indiana State Standards**

Activities related to the case of *Gougar v. Timberlake* can easily be expanded to encompass standards from multiple subject areas other than social studies. A few examples are provided below.

### **Math:**

#### Standard 7 *Problem Solving*

- How far is it from Indianapolis, Indiana (location of Supreme Court Courtroom) to Lafayette, Indiana (Helen Gougar's hometown)?
- How long would it have taken Helen to get to Indianapolis if she was traveling on a train going approximately 35 miles per hour?
- How long would it have taken Helen to get to Indianapolis if she was traveling by horseback covering about 50 miles per day?
- How long would it take Helen to get to Indianapolis if she was traveling today on a commercial airplane going approximately 400 miles per hour?

## English/Language Arts:

### Standard 1 *Reading*

- Read through the Gougar script with students. Read some of the resources related to the program found on the “My Place is in the Voting Booth” website:  
<http://www.in.gov/judiciary/citc/lessons/gougar/index.html>.

### Standard 4 and 5 *Writing: Process and Application*

- Ask students to write a short speech either for or against women’s suffrage.
- Have students write their own Supreme Court Decision regarding women voting.
- Have students write a newspaper article from Helen’s perspective explaining her position in the Supreme Court case of *Gougar v. Timberlake*.

### Standard 7 *Listening and Speaking*

- Have students act out scenes from “My Place is in the Voting Booth”
- Have students write their own scenes. For example, have Helen’s parents, siblings, or husband explain their position.

## **Timeline of Helen Gougar**

July 18, 1843	Helen Jackson is born near Litchfield, Michigan.
May, 1860	Helen accepts a teaching job and moves to Lafayette, Indiana. Helen’s Uncle already lives in the area.
December 10, 1863	Helen marries John Gougar, a young Lafayette attorney. John’s eyesight is poor and Helen often helps with his work. Over time, Helen becomes as familiar with the law as a practicing attorney.
1860s-1870s	Helen is involved in several benevolent organizations in Lafayette including the YMCA, Lafayette Home Association, Ladies’ Benevolent Society, and her church, Second Presbyterian.
1877	Helen and John organize a Parlor Club to study literature with neighbors and friends.
April 1878	Helen speaks at a Blue Ribbon Temperance Rally in Lafayette. Transcripts of the speech do not survive, but she persuades 500 attendees to sign a temperance pledge. This speech marks the beginning of Helen’s deep commitment to the temperance movement.

November 2, 1878	Helen begins writing the newspaper column “Bric-a-Brac” for the <i>Lafayette Daily Courier</i> . In less than two years, she writes almost 100 articles.
1881	Helen becomes the editor of a local newspaper, <i>Our Temperance Herald</i> , and renames it <i>Our Herald</i> . She acts as owner/editor after buying the paper in 1883.
1882	<i>Western Union Telegraph Company v. Gougar et al</i> (84 Ind. 176). The Court awards Helen \$100 in damages from the telegraph company after concluding that Western Union illegally delayed her message by sending men’s messages first.
1883	Helen sues the Lafayette Police Chief Henry Mandler for slander in the case of <i>Gougar v. Mandler</i> . The eleven week trial features at least 133 witnesses. Helen is awarded \$5,000 in damages. There is no record that she was ever paid.
1884	Helen travels to Kansas and leads the drafting of a municipal suffrage bill. She unites the local Women’s Christian Temperance Union (WCTU) with the Kansas Equal Suffrage Association (KESA) in Kansas’ final fight for women’s suffrage. The bill passes in 1887.
1888	Helen leaves the Republican Party and joins the Prohibition Party.
1892	Helen serves as a delegate to the Prohibition Party National Convention in Cincinnati.
1893	<i>Gougar v. Morse</i> (66 F. 702). Helen sues Congressman Elijah Morse (Mass.) and the <i>Attleboro Sun</i> for libel. A U.S. Circuit Court in Massachusetts awards Helen \$1,000 in damages. The case is retried in 1895.
November 6, 1894	Helen attempts to vote in Tippecanoe County, but is turned away by the election board because she is a woman. She files a law suit against the election board.
January 10, 1895	Helen is admitted as the first female member of the Tippecanoe County bar hours before delivering her four-hour argument in the case of <i>Gougar v. Timberlake et al</i> . Her argument is published as “The Constitutional Rights of the Women of Indiana.” Judge Everett finds for the election board in April. Helen appeals to the Indiana Supreme Court.

- 1896 Helen is nominated for Indiana Attorney General by the National Prohibition Party. Helen and her party lose badly in the November election.
- 1897 Helen withdraws from the Prohibition Party and announces she will support Williams Jennings Bryan, a Democrat, for President in 1900.
- Helen and John move to their new home, Castle Cottage, in Lafayette (914 Columbia Street). Today, the home is the Fisher-Loy Funeral Chapel.
- February 19, 1897 *Gougar v. Timberlake* (147 Ind. 38) is argued in front of the Indiana Supreme Court. Helen argues that women are not constitutionally barred from voting in Indiana, but the Court upholds the lower court's decision. Helen is one of the first women to argue before the Indiana Supreme Court.
- 1898 Helen publishes *Matthew Peters: A Foreign Immigrant*, telling the story of a young German immigrant.
- 1900 Helen, as promised, campaigns for William Jennings Bryan, who is unsuccessful in his bid to become U.S. President.
- 1901 Helen and John take an extensive Pacific vacation, visiting Hawaii, New Zealand, and Australia.
- 1902 Helen and John travel to China, Japan, the Philippines, Singapore, Egypt, Hungary, Russia, Sweden, Norway, Denmark, and Germany.
- 1905 Helen publishes a travel memoir, *Forty Thousand Miles of World Wandering*, containing commentaries on places she and John visited.
- 1906 Helen and John travel to the Caribbean.
- June 6, 1907 Helen dies unexpectedly at her home in Lafayette, most likely of a heart attack.
- 1985 Robert Kriebel publishes *Where the Saints Have Trod: The Life of Helen Gougar*.
- May 2006 *Helen* Magazine is founded in Helen's adopted hometown of Lafayette, Ind. and named for Helen Gougar.

## **Vocabulary**

**Oral Argument:** Oral arguments are the presentation of information about a case in front of an appellate court. Both sides have the same amount of time to convince the panel of judges to rule in their favor.

**Temperance Movement:** The temperance movement was a movement that tried to persuade people to stop drinking alcohol.

**Women's Suffrage:** Suffrage is the right to vote. Women such as Elizabeth Cady Stanton, Susan B. Anthony, Helen Gougar, and many others worked for over 100 years before women in the United States were granted the right to vote. Sometimes called suffragists (or suffragettes), these women lectured, wrote, and marched on behalf of women's rights.

**The "Bar":** The Indiana Constitution of 1851 had very few requirements for being a lawyer. The only qualifications were to be a voter and a person of good moral character. If a person wanted to practice law, they had to get approval from the other lawyers in their county. If the lawyers agreed that the candidate was qualified, the person was admitted to the bar. That means they could go to the front of the courtroom and through the swinging gate, "the bar."

**19<sup>th</sup> Amendment:** The 19<sup>th</sup> Amendment granted women the right to vote. It was passed by Congress in 1919 and ratified by the states in 1920.

**Appeal:** Appeal means to have a higher court review the ruling of a lower court. You only do this if you are not happy with the ruling of the lower court. Since Helen lost in the lower court, she's the one who filed the appeal.

**Difference between appellate and trial courts:** A county trial court has only 1 judge elected by the people in the county. An appellate court has a panel of several judges. They are elected by the people from many counties. In 1897, at the time of Helen's case, there were 5 members of the Supreme Court. There are still 5 today. The Indiana Supreme Court is the highest court in the state of Indiana.

## **Key Figures in the Play**

**Helen Gougar:** Helen Jackson Gougar was born in 1843 in Michigan. She moved to Lafayette, Indiana in 1860 and married John Gougar in 1863. She helped her husband in his law practice and was active in both politics and the women's suffrage movement. Gougar attempted to vote in an 1894 election and was refused. She filed suit against the Tippecanoe Election Board (*Gougar v. Timberlake*) and eventually appealed her case to the Indiana Supreme Court.

**John Gougar:** John Gougar was born in 1836 in Ohio and moved to Indiana in 1840. John and Helen probably met at church in Lafayette in 1861. They were married in 1863. John had poor eyesight and relied on Helen to assist in his law practice.

**Elizabeth Cady Stanton:** Stanton was born November 12, 1815 in Johnston, New York. She received the same education as her brothers. This was rare for women at the time. Stanton and other women's rights activists organized the first women's rights convention at Seneca Falls, New York, in 1848. Stanton died in 1902, not quite twenty years before women were granted the right to vote.

**Susan B. Anthony:** Anthony was born February 15, 1820 and played a vital role in the women's rights movement. Like Stanton, Anthony was lucky enough to get a good education. Because she was single, Anthony was able to travel around the world speaking on behalf of women's rights for 45 years. Anthony died in 1906; the 19<sup>th</sup> Amendment is sometimes called the Susan B. Anthony Amendment.

**May Wright Sewall:** Sewall was born in 1844 in Wisconsin, received two degrees from North Western Female College, and moved to Indianapolis in 1872. She actively pursued women's suffrage across Indiana and the Midwest working with both Anthony and Stanton. Sewall, like Helen Gougar, Elizabeth Cady Stanton, and Susan B. Anthony, died before the ratification of the 19<sup>th</sup> Amendment giving women the vote.

## **Actor Roles and Props Needed for the Play**

Character Parts – speaking roles listed in order from most amount of lines to least amount of lines

- Helen (central role, provides most of the pertinent information; suggest an adult facilitator)
- Narrator (central role, provides pertinent details and other information; suggest an adult facilitator)
- Reporter # 1 (8 lines)
- Poll Worker #1 (7 lines)
- Poll Worker #2 (7 lines)
- Alexander Rice (6 lines)
- Chief Justice Hackney (5 lines - 1 long passage)
- Judge Howard (4 lines)
- Judge McCabe (4 lines)
- Reporter #2 (3 lines)
- Young Helen #2 (3 lines)
- Reporter #3 (3 lines)
- Young Helen #1 (2 lines)
- Elizabeth Cady Stanton (2 lines - 1 long passage)

- May Wright Sewall (2 lines)
- Susan B. Anthony (2 lines)
- Bailiff (2 lines)
- Judge Monks (2 lines)
- Judge Jordan (2 lines)
- Law Librarian #1 (1 line)
- Law Librarian #2 (1 line)
- Law Librarian #3 (1 line)
- Voter 1 (1 line)
- Voter 2 (1 line)
- Voter 3 (1 line)
- John Gougar (1 line)

Character Parts – non-speaking roles (stand up and wave, stand at attorney table, picket around the Courtroom)

- Helen's mother
- Helen's father
- Helen's brother or sister 1
- Helen's brother or sister 2
- Helen's brother or sister 3
- Helen's brother or sister 4
- Helen's brother or sister 5
- Helen's brother or sister 6
- Helen's uncle
- Mr. Timberlake
- Mr. Potter
- Mr. Sayler 1
- Mr. Sayler 2
- Mr. Sayler 3
- Picketeer 1
- Picketeer 2
- Picketeer 3
- Picketeer 4
- Picketeer 5
- Picketeer 6

Location and Other Cue Cards – non-speaking roles (walk in front of group to place and remove scene card or prop, place label on map)

- "Applause" sign (used 10 times)
- "Applause" sign (used 10 times)
- "Votes for Women" sign (used 3 times)
- "Votes for Women" sign (used 3 times)



- Indiana Supreme Court Law Library (used 3 times)
- Indiana Supreme Court Courtroom (used 1 time)
- Lafayette, Indiana (used 2 times)
- Gougar's Lafayette Home picture (used 2 times)
- Voting Booth (used 1 time)
- Ballot box (used 1 time)
- Helen's family (used 1 time)
- Mr. Timberlake (used 2 times)
- Helen's legal team (used 1 time)
- June 1880 (used 1 time)
- November 1894 (used 1 time)
- January 1897 (used 3 times)
- February 19, 1897 (used 1 time)
- February 24, 1897 (used 1 time)
- Constitution words (used 1 time)
- Declaration of Independence words (used 1 time)
- Map of Indiana and Michigan (used 1 time)
- Michigan label (used 1 time)
- Litchfield label (used 1 time)
- Indiana label (used 1 time)
- Lafayette label (used 1 time)
- Indianapolis label (used 1 time)

Definition Cards – speaking roles (stand and read definition from script)

- Oral Argument
- Temperance Movement
- Women's Suffrage
- The "Bar"
- 19<sup>th</sup> Amendment
- Appeal
- Difference between trial and appellate court

Biography Cards – speaking roles (stand and read biographical description of characters from script)

- Elizabeth Cady Stanton
- Susan B. Anthony
- May Wright Sewall

Other Props Used:

- Hats for family, voters, lawyers, reporters, supporters
- Bow ties
- Legal pads of paper

- Picket signs
- Glasses for librarians and John
- Law books
- Poll book
- Ballot box and ballots
- Blazer for Bailiff
- Gavel for Bailiff
- Robes for Judges
- Votes for Women sashes

## **Description of Actor Roles and Props Needed for the Play**

Character Parts (speaking roles): Students will play the roles of reporters, law librarians, poll workers, voters, bailiff, and the judges. Because Helen's role has many speaking lines, an adult should play her part. Among the student roles, Chief Justice Hackney's is the longest.

Character Parts (non-speaking roles): Students will be provided with costumes (for example: a hat, a bow tie, a picket sign, etc.). When the actress playing Helen or another character part points to a figure, the student stands up and performs the action as the script indicates. No speaking is required.

Location and Other Cue Cards: The student simply holds up the prop at the specified time and slowly walks across the front of the room so the audience sees the prop clearly. No reading or speaking is required.

Definitions and Biography Cards: At the appropriate time, the student stands up and, with a clear, audible voice reads information from the script. Most roles require that the students read only a couple of sentences.

## **Follow-up Questions/Activities**

1. When did women get the vote in Indiana? In the United States? How did they win this right?
2. Have students find additional information about other prominent leaders of the women's suffrage movement both in Indiana and on the national level.
3. If Helen were alive today, what sort of activities/movements do you think she would join? Why?
4. When Helen was admitted to the practice of law in 1895 by Judge Everett, she was the first woman lawyer in her county. Use the Internet to find information about how people become lawyers today and how many women lawyers there are today.